

**Amendments to the Drawings:**

The attached sheets of drawings include corrections to FIGS. 1 and 2. The corrections include the addition of a legend designating that FIGS. 1 and 2 illustrate the prior art.

Attachment: Replacement Sheets

## **REMARKS**

The above amendments are made in response to the Office action of July 24, 2008. The Examiner's reconsideration is respectfully requested in view of the above amendment and the following remarks.

Claims 1-41 are pending in the application. Claims 17 -41 are withdrawn from further consideration. Claims 1, 2 and 8-16 stand rejected. Applicants gratefully acknowledge that claims 3-7 have been indicated as containing allowable subject matter but for their dependence on rejected base claims.

Claims 1, 3, 4, 5 and 7-16 have been amended and claim 2 has been canceled. Claim 42 is new, leaving claims 1, 3-16 and 42 for further consideration upon entry of the present amendment. Support for the amendments to claim 1 may be found at least in canceled claim 2 and the Figures and specification as originally filed. Claims 3, 4, 5 and 7-16 have been amended to correct claim dependency from canceled claim 2 to amended independent claim 1. No new matter has been added.

### ***Drawings***

The Examiner objects to the drawings stating that FIGS. 1 and 2 should be designated by a legend such as "Prior Art." The Applicants have amended the drawings accordingly.

Applicants respectfully request that in light of the amended drawings the objections to the drawings be withdrawn.

### ***Claim Objections***

Claim 5 stands objected to as allegedly being a substantial duplicate of claim 3.

However, it is respectfully submitted that claim 5 recites that a second current supply line and a scan line are formed from a same layer, while claim 3 recites that a second current supply line and a pixel electrode are formed from the same layer. Therefore, claim 5 is different from claim 3. Claims 3 and 5 are reproduced as currently amended below for convenience:

3. (Currently Amended) The display panel of claim 1, further comprising a pixel electrode electrically connected to the driving part, and wherein the first current supply line and the data line are formed from a first layer and the second current supply line and the pixel electrode are formed from a second layer.

5. (Currently Amended) The display panel of claim 1, further comprising a pixel electrode electrically connected to the driving part, and wherein the first current supply line and the data line are formed from a first layer, and the second current supply line and the scan line are formed from a second layer.

In light of the above remarks it is respectfully requested that the Examiner withdraw the objection of claim 5.

### ***Claim Rejections Under 35 U.S.C. § 102***

In order to anticipate a claim under 35 U.S.C. §102, a single source must contain all of the elements of the claim. *Lewmar Marine v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert denied*, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements “arranged as in the claim.” *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1274 (Fed. Cir. 1984). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985).

Claims 1, 2 and 9-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Inukai (U.S. Patent Pub. No. 2001/0038367, hereinafter “Inukai”). The Examiner states that Inukai discloses all of the elements of the abovementioned claims.

Claim 1 has been amended to include the limitations of canceled claim 2 and to recite, *inter alia*, that the first current supply line contacts the second current supply line.

In contrast, FIG. 3 (reproduced below) of Inukai relied upon by the Examiner disclose that the (‘V’) line and the (‘E’) line, alleged by the Examiner to be the first and second current supply lines, respectively, are not in contact with each other.

In particular, Inukai discloses that a source region of the EL driver TFT 108 is connected to one of the power source supply lines V (V1 to Vx), and a drain region thereof is connected to the EL element 110. The power source supply lines V are connected to a power supply (not shown) provided outside the substrate on which the

pixel portion 101 is formed, and are given a constant power supply electric potential. (Paragraph [0076]). The power source supply line V is connected to the capacitor 112. (Paragraph [0078]). The opposing electrode of the EL element 110 is connected to one of the opposing power source lines E (E1 to Ey). The electric potential of the opposing power source lines E herein is called opposing electric potential. (Paragraph [0080]). Thus, Inukai does not disclose the first current supply line ('V') contacting the second current supply line ('E').

More specifically, Inukai does not disclose, teach or suggest wherein the first current supply line **contacts** the second current supply line, as claimed in amended independent amended claim 1 of the present invention. Thus, amended claim 1 is believed to be patentably distinct and not anticipated by Inukai. Claims 3-16 depend from claim 1, and thus include all the limitations of amended claim 1. It is thus believed that the dependent claims 3-16 are allowable for at least the reasons given for independent amended claim 1, which is believed to be allowable.

Accordingly, Applicants respectfully request that the Examiner withdraw his rejections and allow claims 1, 2 and 9-16 under 35 U.S.C. §102(b).

### ***Rejections Under 35 U.S.C. § 103***

In order for an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996). See MPEP 2143.

Claims 1,2 and 8-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Inukai. The Examiner states that Inukai in view of the skill in the art at the time the

invention was made teaches all the limitations of claim 8 except for the *storage capacitor disposed between the first current supply line and the driving part*, which the Examiner alleges would have been obvious based on Inukai disclosing that it is art recognized wherein the capacitor can be placed between the current supply line and the driving TFT.

As mentioned above for claim 1, Inukai neither teaches nor suggests wherein the first current supply line **contacts** the second current supply line, as claimed in amended independent claim 1. Further, claim 2 has been canceled rendering any rejection thereto moot. Further still, claims 8-16 depend from amended independent claim 1, which is submitted as being allowable for defining over Inukai as discussed above. Moreover, it is respectfully submitted that use of the *storage capacitor disposed between the first current supply line and the driving part* allegedly known in the art does not cure the deficiencies noted above with respect to Inukai.

Thus, Applicants submit that neither Inukai nor the skill in art, either alone or in combination, render obvious the subject matter of amended claim 1. Claims 8-16 depend from amended claim 1, and thus include the allowable elements of amended claim 1. It is thus believed that the dependent claims are patentable over the cited references for at least the reasons given above for amended independent claim 1.

Accordingly, it is respectfully submitted that the claimed invention is allowable over the cited references. The Examiner's withdrawal of the rejection of claims 1, 2 and 8-16, and their subsequent allowance is respectfully requested.

#### ***New Claim 42***

As discussed above, Inukai discloses that the power source supply lines V are connected to a power supply (not shown) provided outside the substrate on which the pixel portion 101 is formed, and are given a constant power supply electric potential. Paragraph [0076]). The opposing electrode of the EL element 110 is connected to one of the opposing power source lines E (E1 to Ey). The electric potential of the opposing power source lines E herein is called opposing electric potential. Paragraph [0080]). First, the opposing electric potential given to the opposing power source line E1 is kept at an ON opposing electric potential by the opposing electrode power source line driver circuit 104. The ON opposing electric potential refers to an **electric potential different**

from the power supply electric potential to a degree that causes the EL element to emit light when the power supply electric potential is given to the pixel electrode. Paragraph [0084]).

Thus, it is respectfully submitted that Inukai does not teach or suggest the first voltage is substantially the same as the second voltage, as recited in new claim 42.

***Conclusion***

In light of the above remarks, the present application including claims 1, 3-16 and 42 are believed to be in condition for allowance.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejections. If there are any charges due with respect to this response, please charge them to Deposit Account No. 06-1130 maintained by Applicants' Attorneys.

Respectfully submitted,

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Date: October 23, 2008